

Posted on APAnet Forum  
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The recent activity on our forum, APAnet, and other forums and blogs has questioned the reporting on The Copyright Registry (TCR) and integrity of APA. APA's initial questions were directed to TCR on March 23 because of concerns of the claims on TCR's web site. The most blatant statement and concern was in TCR's terms and conditions that stated:

*“YOU authorize The COPYRIGHT REGISTRY to represent INFORMATION, YOU and your CONTENT in collective bargaining for use of CONTENT by third parties and to execute licenses on your behalf for collective uses of CONTENT on terms to be determined by The COPYRIGHT REGISTRY at its sole discretion.”*

After the APA Alert, TCR re-evaluated many of those areas of concern, made changes and APA issued a statement on March 30 saying TCR had worked to improve their T&C language. An excerpt from that post is below and the full post is message number 32954 on APAnet.com.

*“The results so far indicate The Copyright Registry is changing its site to address most of APA's concerns with the removal of language in their terms & conditions concerning Collective Representation, a clearer understanding that The Copyright Registry is not the U.S. Copyright Office or associated with the U.S. Copyright Office and that there is no current Orphan Works Act or legislation pending in the United States. They have also changed language on the issue of being able to “claim” your copyright even though one's copyright is only able to be supported in a legal forum by the U.S. Copyright Office.”*

Also on March 30, APA posted the APA questions with TCR answers. The full, original Q&A is message number 32956 on APAnet.com.

APA felt at that time, since TCR had improved their website based on many of our concerns that this matter was resolved and we would continue to monitor the site. It is unfortunate that TCR feels the continued need to keep this topic on the minds of our industry. APA did its due diligence.

APA is aware that TCR posted the APA Questions and TCR's answers on their blog. APA also noticed that a few of the answers were altered and/or expanded. APA understands TCR is an entrepreneurial endeavor and has the right to promote itself. We also understand that the US Copyright Office is the only legal office to file for copyright protection. It is our responsibility to our members to make sure their rights and other photographer's rights are being protected.

The continued activity by TCR that questions APA's integrity is unfortunate for the industry as a whole. APA is aware that TCR has asked some industry vendors for input

on this situation. They have posted on their blogs statements on what they saw after viewing a demonstration of TCR's website. Unfortunately, the website they viewed is not the same one APA viewed before the alert, it is the one that reflects the changes made in the language. Changes that APA acknowledged and posted on the forums.

The vendor blog made this statement: *"Most disappointing in this chaos was the email alert sent out by the APA. The fact that the ASMP endorsed C-Registry should have been a signal to the APA that they needed to do some additional fact checking before sending out their alert. This would have gone a long way to preventing the blog mob that rose to crucify C-Registry."*

We are proud of our advocacy and feel that others in the industry should have been as concerned for photographer's rights as we are. The above quote stating that since ASMP endorsed The Copyright Registry, APA should have followed suit is just not accurate. The truth is that others should have done more fact checking.

APA will continue to follow our mission to promote successful photographers. We will do so as an independent association speaking for ourselves based on our own due diligence and will not follow others blindly in our industry. We also hope to be a cooperative association working in partnership with others on issues of importance.

Stephen Best  
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